



"The City With a Heart"

Jim Ruane, Mayor
Michael Salazar, Vice Mayor
Ken Ibarra, Councilmember
Irene O'Connell, Councilmember
Rico E. Medina, Councilmember

MINUTES

SAN BRUNO CITY COUNCIL

January 11, 2011

7:00 p.m.

1. CALL TO ORDER: THIS IS TO CERTIFY THAT the San Bruno City Council met in regular session on January 11, 2011 at the San Bruno Senior Center, 1555 Crystal Springs Rd., San Bruno, CA. The meeting was called to order at 7:00 p.m.

Mayor Ruane thanked the San Bruno Garden Club for providing the beautiful floral arrangement.

2. ROLL CALL/PLEDGE OF ALLEGIANCE: Presiding was Mayor Ruane, Vice Mayor Salazar and Council Members O'Connell, Ibarra and Medina. Recording by Clerk Bonner. **Interim City Attorney Rubens** Led the Pledge of Allegiance.

3. ANNOUNCEMENTS:

Mayor Ruane said Jerry Hill's office contacted him today regarding AB50 to let him know that legislation would go forward positively.

4. PRESENTATIONS:

Mayor Ruane introduced **Christopher Mohr, Executive Director, HEART** who gave a power point presentation on the Housing Endowment and Regional Trust of San Mateo County and how they open the doors to our community.

Councilmember O'Connell asked how people could get a hold of HEART? **Mohr** said their website is heartofsmc.org. He said you could go to OPEN, which describes the program in detail.

5. REVIEW OF AGENDA: No changes.

6. APPROVAL OF MINUTES: Regular City Council Meeting of December 14, 2010 and Special City Council Meeting of December 20, 2010, approved as submitted.

7. CONSENT CALENDAR:

a. **Approve:** Payroll of December 5 and 19, 2010.

b. **Approve:** Accounts Payable of December 13, 20 and 27, 2010 and January 3, 2011.

c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated November 30, 2010.

d. **Waive:** Second Reading and Adopt an Ordinance Adding New Chapter 1.35, "Developer Indemnification" to Title 1 (General Provisions) of the San Bruno Municipal Code.

e. **Approve:** Out of State Travel for Cable Department Staff to Attend Cable Television Industry Conferences in 2010-11.

f. **Adopt:** Resolution Rejecting All Bids for the Glenview and Cunningham Water Tank Retrofit Project.

Councilmember O'Connell pulled Item 7.f.

M/S O'Connell/Medina to approve the Consent Calendar and passed with all ayes.

Councilmember O'Connell asked how important this project is. **Public Services Director Fabry** said this is a retrofit of two water tanks and it is their intent to put together another bid document as soon as possible.

Councilmember Ibarra why are the two projects together? **Fabry** said it was more strategic and economical. She said they would go out for Tank 1 and then Tank 3, which was much more complex.

M/S O'Connell/Ibarra to approve Item 7.f. and passed with all ayes.

8. PUBLIC HEARINGS: None.

9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Alan Lubke, Fleetwood Dr. asked all Council to speak to the microphone. He asked all speakers be introduced. He asked for an answer about the tree at 2570 Catalpa Way that was cut down?

10. CONDUCT OF BUSINESS:

a. Receive Oral Report and Review Status of Local Emergency Related to the Glenview Fire Area and Adopt Resolution Continuing Declaration of Local Emergency.

City Manager Jackson gave an overview of the staff report and asked to continue the local emergency and asked for adoption of the resolution.

Councilmember Ibarra introduced the resolution for adoption and passed with a unanimous vote.

b. Receive City Council Donations Subcommittee Report and Provide Direction to Staff Regarding Donations for Glenview Fire Area.

City Manager Jackson gave an overview of the staff report and attachments distributed to Council regarding the donations received (not solicited) by the City. She pointed out the overwhelming response from those who attended the special meeting was to be expedient in distribution.

Vice Mayor Salazar and **Councilmember O'Connell** thanked everyone for their participation. **Councilmember O'Connell** also thanked everyone for their participation, especially those in the minority. She noted there is a provision in the report to hold out money and she said that would be spent in six months. **Vice Mayor Salazar** also said there is a provision to opt out. He said they are proposing three categories. First, the 38 properties completely destroyed would receive \$6,000; the second would include 17 properties, which sustained moderate damage, and they would receive \$4,000. and finally, 45 properties, which sustained minor damage, would receive \$1,000. There would be a fund left over of approximately \$58,000, which would be committed to distribute via process where they would solicit input to find the best use for those funds within six months.

Councilmember Ibarra said it appears to be a good formula. He asked if moderate and minor incorporate everyone who was affected? **Councilmember O'Connell** said this reflects everyone who has been affected to any degree.

Councilmember Medina said there was discussion of residents being part of the discussion. **Vice Mayor Salazar** said they addressed the immediate need first. He said the idea was to have residents make up the committee for the remaining funds.

Mayor Ruane thanked everyone who donated, to the residents and the subcommittee. His comment was, is the money distributed based on need or impact? He said needs change.

Sherry Sekulich, Claremont Dr. asked why not start a fund for the people in the hospital who are having trouble paying their medical bills.

Roxana Dalmas, Outreach Coordinator said language access has been a difficulty. She asked for a good outline on how the \$58,000 would be used.

Christie Brush, asked those who have had significant injuries or deaths be given consideration of funds or it be given to their representative.

Mayor Ruane asked the fastest way the money can be distributed? **City Manager Jackson** said they anticipate being able to distribute the funds by the end of next week. She said everyone would be notified and asked to come to City Hall to identify themselves.

Councilmember Medina thanked the subcommittee and residents and anyone who showed any kind of support during this entire crisis.

M/S Salazar/Medina to accept the recommendation from the subcommittee which includes the six month window as well as a sub-committee formed to review, all of which will be incorporated into the resolution and passed with all ayes.

Councilmember Ibarra thanked the hundreds that have donated to this cause.

Council took a break.

c. Receive Report, Waive First Reading, Introduce 2010 Fire and Building Code Ordinances to be Adopted by Reference and Set Public Hearing for Adoption and Adopt Resolution Approving Findings of Necessity and Need for Amendments, Deletions, and Additions to the Code.

Community Services Director Akin gave an overview of the staff report and highlighted some of the changes to the Fire and Building Code Ordinances. He said this is being adopted by reference. He said this would come back to Council on the first meeting of February.

Councilmember Medina asked to clarify fire hydrant maintenance. **Akin** said fire hydrants seen in front of houses are normally in a public right-of-way; this fire hydrant maintenance would apply to developments with private roads.

Councilmember Ibarra asked about green/new? **Akin** said if an addition is done to a home, that is not considered new, but if a home is torn down, that will be a new structure.

Councilmember Ibarra said there is the potential 38 new homes are to be built? Will this put a strain on their building? **Akin** said insurance companies pay for the upgrades by adopting our building codes.

M/S Ibarra/Medina to waive the first reading and passed with all ayes.

Councilmember Ibarra introduced the ordinance and adopted the resolution and passed with a unanimous vote.

M/S Ibarra/Medina to set the Public Hearing Date for February 8, 2011 and passed with all ayes.

d. Adopt Resolution Amending the 2010-11 Capital Improvement to Add the Swimming Pool Resurfacing Project and Appropriating Funds in the Amount of \$120,000.

Recreation Supervisor Brewer gave an overview of the City Park Swimming Pool resurfacing and asked for questions.

Councilmember Medina asked if Catalpa lot funding is being reassigned to this project? **Brewer** concurred.

Councilmember Medina noted on the resolution the gym floor at the gym would not need to be replaced for fifteen to twenty years, and **Brewer** concurred.

Councilmember Medina introduced the resolution for adoption and passed with a unanimous vote.

e. Adopt Resolution Authorizing the City Manager to Execute an Agreement with CableCom of California, Inc. in the Amount of \$63,006 for Construction of the Bayhill Sneath Lane Cable Extension Project.

Cable Director Gyaltsen gave an overview of the staff report and asked for questions.

Vice Mayor Salazar said there are some customers identified in the new locations? **Gyaltsen** said some. For this investment to be profitable Tenzin said 88 businesses need to be on line.

Councilmember Ibarra what are they getting they don't already have? **Gyaltsen** said value pricing and it is not a temporary rate.

Councilmember Ibarra introduced the resolution for adoption and passed with a unanimous vote.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

12. COMMENTS FROM COUNCIL MEMBERS:

Councilmember Ibarra thanked Randy Schwartz, staff and all the other various organizations for the event on Saturday here at the Senior Center.

13. CLOSED SESSION:

Mayor Ruane said they would be going into closed session with no reportable action.

a. Confer with Legal Counsel Regarding Anticipated Litigation (one case) (Cal. Gov't. Code Section 54954.9 (a)).

b. The City Manager and Human Resources Director Request a Closed Session Pursuant to Cal. Gov't. Code Section 54957.6 Regarding Direction for Labor Negotiations with the Police and Public Safety Mid Management Unit Bargaining Units.

c. Confer with Legal Counsel Regarding Pending Litigation in *Teamsters Local 856 v. City of San Bruno, et.al.*, San Mateo Superior Court Case No. CIV 501642.

14. ADJOURNMENT:

Mayor Ruane closed this meeting at 8:25 p.m. with a moment of silence in memory of those actually killed in Tucson, Arizona. The next Council Meeting will be held on January 25, 2011 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval
at the regular City Council Meeting of
January 25, 2011

Carol Bonner, City Clerk

Jim Ruane, Mayor